



#4

Howrey Docket No. 04813.0028.NPUS00

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **FUEL CELL SYSTEM**, the specification of which is attached hereto unless the following box is checked:

☒ Filed October 19, 2001;
as United States Application Number or PCT International Application Number 10/066,544, and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No

_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
----------------------------	--------------------	---------------------------------	--

_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)
----------------------------	--------------------	---------------------------------

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

_____ (Application No.)	_____ (Filing Date)
----------------------------	------------------------

_____ (Application No.)	_____ (Filing Date)
----------------------------	------------------------

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
-------------------	---------------	---

(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
-------------------	---------------	---

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Jason C. Abair, Reg. No. 44,007
Michael J. Bell, Reg. No. 39,604
Celine T. Callahan, Reg. No. 34,301
Jenny W. Chen, Reg. No. 44,604
Michael Dalakis, Reg. No. 47,322
Ben M. Davidson, Reg. No. 38,424
James F. Davis, Reg. No. 21,072
Thomas M. Dunham, Reg. No. 39,965
Alan M. Grimaldi, Reg. No. 26,599
Albert P. Halluin, Reg. No. 25,227
Derek J. Jardieu, Reg. No. 44,483
Christopher L. Kelley, Reg. No. 42,714
Brian S.Y. Kim, Reg. No. 41,114
Donna D. King, Reg. No. 45,962
David F. Kleinsmith, Reg. No. 40,050
Viola T. Kung, Reg. No. 41,131

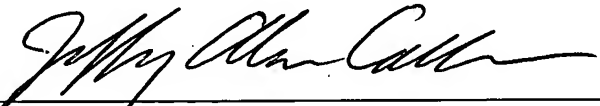
Robert C. Laurenson, Reg. No. 34,206
Joseph P. Lavelle, Reg. No. 31,036
Don F. Livornese, Reg. No. 32,040
Christopher A. Mathews, Reg. No. 35,944
Matthew J. Moore, Reg. No. 42,012
Andrew Y. Piatnicia, Reg. No. 40,772
Glenn W. Rhodes, Reg. No. 31,790
Michael J. Stimson, Reg. No. 45,429
William K. West, Reg. No. 22,057
Adam K. Whiting, Reg. No. 44,400
Jayna R. Whitt, Reg. No. 47,175
Karen K. Wong, Reg. No. 44,409
Wallace Wu, Reg. No. 45,380
Matthew S. Zises, Reg. No. 47,246

Send Correspondence to:

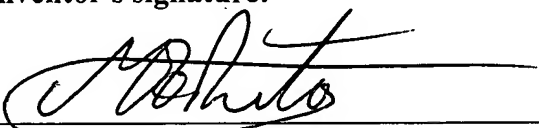
Robert C. Laurenson
HOWREY SIMON ARNOLD & WHITE, LLP
301 Ravenswood Avenue, Box 34
Menlo Park, CA 94025
Facsimile: (650) 463-8400

Direct Telephone Calls to: (949) 759-5269

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of First inventor:	
JEFFREY A. COLBORN	
Inventor's signature:	Date
	<i>April 1, 2002</i>
Residence: 2015 Edinburg Avenue Cardiff by the Sea, California 92007	
Citizenship: United States	
Post Office Address: 2015 Edinburg Avenue Cardiff by the Sea, California 92007	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Second inventor: MARTÍN DE TEZANOS PINTO	3/29/02 Date
Inventor's signature: 	
Residence: 2370 Rising Glen Way, #103 Carlsbad, CA 92008	
Citizenship: Argentina	
Post Office Address: 2370 Rising Glen Way, #103 Carlsbad, CA 92008	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Third inventor:	
STUART I. SMEDLEY	<i>Stuart I. Smedley</i>
Inventor's signature:	Date <i>4/2/02</i>
Residence: 241 Camino del Postigo Escondido, California 92029	
Citizenship: United Kingdom	
Post Office Address: 241 Camino del Postigo Escondido, California 92029	